

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

UNITED STATES OF AMERICA

v.

Case number: 2:21-cr-00127

RAYMOND DUGAN

**DEFENDANT’S MOTION TO CONTINUE TRIAL
AND ASSOCIATED PRETRIAL DATES
AND TO RESERVE THE RIGHT TO FILE PRETRIAL MOTIONS**

Now comes the defendant, Raymond Dugan, by counsel, David Schles, and moves this Court to continue the trial and all associated events in this matter, including the date for filing of additional pre-trial motions. In support of this motion the defendant avers:

1. Mr. Dugan was arraigned on August 17, 2021. The trial was initially scheduled for October 13, 2021. Defendant moved for a continuance which the court granted. The trial is currently scheduled for December 14, 2021 pretrial motions are due November 8, 2021; and the pretrial motions hearing is scheduled for November 22, 2021.

2. The initial discovery disclosure from the government and a first supplemental disclosure were both received by counsel on September 2, 2021. On October 13, 2021, the government provided a copy of the digital forensics report pertaining to the devices seized from Mr. Dugan. Certain materials in the possession of the government have not yet been reviewed.

3. The discovery disclosures are voluminous and complex, many dealing with highly technical matters. Counsel and the defendant have been meeting to review the discovery as

required by the terms of the protective order but need additional time. The defense will also need to retain and utilize an expert in digital forensics as part of this process. The defense has been working diligently but substantially more time will be required for the defense to prepare both for pretrial proceedings and for the trial.

4. Counsel has consulted with Defendant regarding this proposed continuance. Defendant knowingly and intelligently waives any speedy trial rights under 18 U.S.C. § 3161, to the extent any portion of the requested delay is not excluded by the statute, and under the Sixth Amendment.

5. Counsel for the defendant has conferred with counsel for the government, Assistant United States Attorney Julie White, and is authorized to inform the Court that the government does not object to the requested continuance.

Wherefore, in light of the foregoing, the defendant respectfully requests that this Court continue the trial and associated pretrial dates. Defendant respectfully requests that the trial, pretrial hearing, deadline for filing motions and all other associated dates be continued for approximately sixty (60) days.

Respectfully Submitted,
Raymond Dugan
By counsel,

s/ David Schles
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CERTIFICATE OF SERVICE

I, David Schles, counsel for defendant, Raymond Dugan do hereby certify that on this 8th day of November 2021, the foregoing **DEFENDANT'S MOTION TO CONTINUE TRIAL AND ASSOCIATED PRETRIAL DATES AND TO RESERVE THE RIGHT TO FILE PRETRIAL MOTIONS** was served upon the following by CM/EMF electronic filing:

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